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To: Attorney General John Ashcroft	From: Thomas Klinect
Fax #: 1-202-307-1454	Fax #: 619-670-6157
Company: United States	Tel #: 619-303-3292
Subject: Microsoft Settlement	
Sent: 1/10/2002 at 2:05:46 PM	Pages: 2 (including cover)

MESSAGE:

Sir,

The following letter discusses TPI's views, in general, on the remedies for the Microsoft settlement. Please take some time to review and take a small business mans point of view into your final decision on this matter.

v/r

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January 7, 2002

Attorney General John Ashcroft, U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing to express my concerns regarding the Justice Department lawsuit against Microsoft. If this lawsuit had succeeded to the extent envisioned by government lawyers, Microsoft's competitors, and some on the federal bench, the real penalty would have devolved to the entire IT industry, and thus to the American economy and people.

Just because Microsoft's competitors have been unable to develop products that are comparable with Microsoft's products in value to the consumer, it does not follow that the government should step in and, in effect, "dumb down" Microsoft in an effort to make those less innovative companies more competitive with Microsoft. We have seen this principle tried with regard to our national educational policies, and it simply does not work.

It is good for a company like Microsoft to stand on a principle of unapologetic excellence. If its products and innovations are better than anyone else's, then that is its reward for its work ethic, perseverance, and technical excellence. No laws are violated when a company develops superior products.

Similarly, if Microsoft's products and innovations slip into second, or third place, then that is where Microsoft deserves to be. That is the essence of the competitive marketplace. To have the government attempt to subvert the role of these competitive forces can serve only to upset the natural dynamic of the marketplace.

The settlement now in place, one in which Microsoft has agreed to an equal pricing structure for licensing preinstalled software to hardware makers, provides a reasonable basis for closure of this matter, and I urge the Department of Justice to seek acceptance by all parties. I believe that this will best serve the interests of all of the parties, but more important, it will best serve the interests of the American people.

Sincerely,



Thomas Kinect
Chief Executive Officer

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